

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

INNOVA PATENT LICENSING, LLC,

Plaintiff,

v.

3COM CORPORATION, et al.,

Defendants.

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Civil Action No. 2:10-cv-00251-DF-CE

JURY TRIAL DEMANDED

**AGREED MOTION TO DISMISS WITH PREJUDICE
AS TO BANK OF AMERICA CORPORTION**

Pursuant to the Federal Rules of Civil Procedure, Plaintiff InNova Patent Licensing, LLC and Defendant Bank of America Corporation, represented by their attorneys, hereby stipulate and agree as follows:

1. The Complaint filed by InNova Patent Licensing, LLC against Defendant Bank of America Corporation, including all claims and causes of action asserted by Plaintiff InNova Patent Licensing, LLC against Defendant Bank of America Corporation, are dismissed with prejudice to the Plaintiff to re-filing same.

2. Any and all pending motions or requests for relief by Plaintiff InNova Patent Licensing, LLC or Defendant Bank of America Corporation in this action are hereby withdrawn.

3. Each party is to bear its own costs and fees, including attorneys' fees.

So agreed and stipulated.

A proposed order is attached as Exhibit A.

Dated: November 30, 2010

Respectfully submitted,

/s/ Christopher D. Banys

Christopher D. Banys

THE LANIER LAW FIRM, P.C.

Christopher D. Banys SBN: 230038 (California)

Daniel W. Bedell SBN: 254912 (California)

Carmen M. Aviles SBN: 251993 (California)

2200 Geng Road, Suite 200

Palo Alto, CA 94303

(650) 322-9100 (650) 322-9103 (fax)

cdb@lanierlawfirm.com

dwb@lanierlawfirm.com

cma@lanierlawfirm.com

WARD & SMITH LAW FIRM

Wesley Hill SBN: 24032294

111 W. Tyler Street

Longview, TX 75601

(903) 757-6400

(903) 757-2323

wh@jwfirm.com

ATTORNEYS FOR PLAINTIFF

INNOVA PATENT LICENSING LLC

/s/ Thomas B. Walsh, IV

Thomas M. Melsheimer

melsheimer@fr.com

Texas Bar No. 13922550

Thomas B. Walsh, IV

walsh@fr.com

Texas Bar No. 00785173

Michael A. Bittner

Texas Bar No. 24064905

bittner@fr.com

FISH & RICHARDSON P.C.

1717 Main Street, Suite 5000

Dallas, Texas 75201

(214) 747-5070 (Telephone)

(214) 747-2091 (Facsimile)

Jennifer Parker Ainsworth
State Bar No. 00784720
WILSON, ROBERTSON & CORNELIUS P.C.
909 ESE Loop 323, Suite 400
Tyler, Texas 75701
Tel: 903.509.5001
Fax: 903.509.5091
jainsworth@wilsonlawfirm.com

ATTORNEYS FOR DEFENDANT BANK OF
AMERICA CORPORATION

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on this 30th day of November, 2010.

/s/ Lilli C. McBride

Lilli C. McBride